

FILED IN DISTRICT COURT  
OKLAHOMA COUNTY

IN THE DISTRICT COURT OF OKLAHOMA COUNTY  
STATE OF OKLAHOMA

OCT 23 2018

(1) DIERDRE WILLIAMSON,

RICK WARREN  
COURT CLERK

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*Plaintiff,*

v.

CJ-2018-5833  
Case No: CJ-2018-

(1) STATE OF OKLAHOMA, ex rel.,  
(UNIVERSITY OF OKLAHOMA  
HEALTH AND SCIENCES CENTER),

*Defendant.*

JURY TRIAL DEMANDED  
ATTORNEY LIEN CLAIMED

**PETITION**

**COMES NOW**, Plaintiff, Dierdre Williamson ("Plaintiff"), by and through her counsel of record, Rand C. Eddy and Lindsey W. Mulinix-Ewert of Mulinix Goerke & Meyer, PLLC, and for her causes of action against Defendant, State of Oklahoma, University of Oklahoma Health and Sciences Center ("Defendant"), and pleads as follows:

**PARTIES**

1. Plaintiff is Dierdre Williamson, an adult, female, African-American citizen and resident of Oklahoma County, State of Oklahoma, and at all times of the allegations put forward herein, was employed by Defendant.
2. Defendant is State of Oklahoma, ex rel., University of Oklahoma Health and Sciences Center, is a governmental entity. At all times relevant, Defendant was conducting business in Oklahoma County, State of Oklahoma.

**VENUE**

3. Plaintiff's claims are for disability discrimination after Plaintiff requested accommodations, in violation of the Americans with Disability Act ("ADA").
4. The conduct giving rise to this litigation occurred in Oklahoma County, Oklahoma, such that venue is proper in Oklahoma County, Oklahoma.

**STATEMENT OF FACTS**

5. Defendant employed at least fifteen (15) employees for at least twenty (20) weeks of the current or proceeding year, such that it is an employer subject to the ADA.
6. Plaintiff was employed by Defendant from early 2002 until her constructive discharge October 4, 2017.
7. At the time of her resignation, Plaintiff was employed by Defendant as a Senior Administrative Assistant for the University of Oklahoma College of Medicine, Department of Psychiatry and Behavioral Sciences.
8. At all times, Plaintiff was qualified for her job and performed satisfactorily.
9. During her employment by Defendant, Plaintiff filed a wage discrimination claim and racial discrimination claim to Defendant's appropriate departments. As a result, Plaintiff experienced workplace retaliation and a hostile work environment.
10. Due to years of harassment and hostility within her workplace, Plaintiff suffers from worsened disability, including anxiety, depression, stress, and similar impairments, which, without the ameliorative effects of mitigating measures, substantially limits one or more major life activities, such as communicating and interacting with others and being able to manage extra duties and tasks.
11. In 2016, Plaintiff disclosed her disability to Defendant.

12. In 2016, Defendant assigned Plaintiff a huge amount of additional tasks that were previously assigned to another employee.
13. Plaintiff explained to her supervisors it was not possible to complete these additional tasks on top of her regular job duties, which included daily, weekly, monthly, and annual reports for two (2) faculty members with full patient loads.
14. Plaintiff requested overtime, comp time, and free time before or after work in order to complete the additional tasks assigned to her – all of which were denied by her supervisor.
15. Plaintiff requested help with additional tasks and work overload, which was also refused.
16. Plaintiff's supervisor, Ms. Cooley, then began to overly scrutinize Plaintiff's work and badger Plaintiff about completing her regular job duties and additional tasks assigned to Plaintiff.
17. Defendants scrutiny and hostility continued up until Ms. Cooley issued a written disciplinary action against Plaintiff on September 13, 2017.
18. Defendant's lack of reasonable accommodation for Plaintiff's disability caused her disability to worsen to the point where Plaintiff was so physically and emotionally sick, her doctor wrote her a note to excuse her from work for medical reasons.
19. Defendant's lack of reasonable accommodations for Plaintiff's disability directly caused her constructive discharge on October 4, 2017.
20. At the least, significant factors in the decision to constructively discharge Plaintiff are making the workplace so hostile, intolerable, and uncomfortable, that Plaintiff is forced to resign.
21. On October 4, 2017, Plaintiff requested medical retirement.
22. Defendant's employee, Joanie Asbury, advised Plaintiff that Defendant would not be able to issue disability accommodations and/or medical retirement until: (1) Plaintiff qualified for Social Security Disability ("SSD"); and (2) Plaintiff completed a long-term disability form

and Lincoln Financial Group determined that Plaintiff qualified for disability accommodations and/or medical retirement.

23. Plaintiff was approved by SSD in April 2018. Plaintiff sent the necessary documentation to Lincoln Financial Group and has yet to receive a response. As such, Plaintiff has been without health insurance coverage since October 4, 2017.

24. As a direct result of Defendant's conduct, Plaintiff has suffered, and continues to suffer, wage loss (including the value of benefits associated with disability accommodations and/or medical retirement) and emotional distress/dignitary harm including worry, frustration, anxiety, and similar unpleasant emotions.

25. Plaintiff has abided by Defendant's requests and is entitled to disability accommodations and/or medical retirement from the same.

26. Plaintiff exhausted her administrative remedies by timely filing an EEOC charge of discrimination on July 25, 2018. Plaintiff received her Notice of Suit Rights on July 26, 2018. This Petition is timely filed within ninety (90) days of Plaintiff's receipt of her right to sue letter.

**COUNT I**  
**Discrimination – ADA**

Plaintiff incorporates the above allegations and further pleads:

27. Discrimination on the basis of disability, including refusal to accommodate and/or issue qualifying disability benefits violates the ADA.

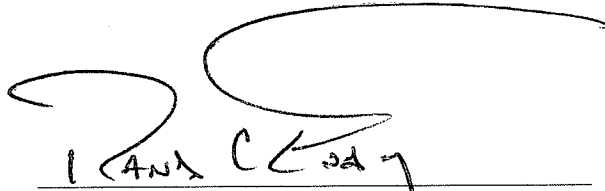
28. Under this Count, Plaintiff is entitled to the value of owed disability accommodations and/or medical retirement, emotional distress/dignitary harm damages, and ongoing disability accommodations and/or medical retirement as issued by Defendant.

29. Because Defendant's conduct was willful, or at least, in reckless disregard of Plaintiff's rights, she is entitled to an award of punitive damages under federal law.

**PRAYER FOR RELIEF**

**WHEREFORE**, Plaintiff requests this Court enter judgment in her favor and against Defendant, and grant her all compensatory damages suffered, together with all damages, liquidated damages, attorney's fees, costs and interest, and such other legal and equitable relief as this Court deems just and proper.

Respectfully submitted this 23<sup>rd</sup> day of October, 2018.

A handwritten signature in black ink, appearing to read "Rand C. Eddy", is written over a horizontal line.

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